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Letter dated 8 April 2004 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to your letter of 7 April 2004 concurring with my proposal to appoint Sir Charles Michael Dennis Byron as a permanent judge of the International Criminal Tribunal for Rwanda (annex). I have received a corresponding letter from the President of the Security Council. Accordingly, I have appointed Sir Dennis Byron as a permanent judge of the International Criminal Tribunal for Rwanda, effective today, for the remainder of the term of office of Judge Lloyd George Williams, which will expire on 24 May 2007.

(*Signed*) Kofi A. **Annan**

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Annex

Letter dated 7 April 2004 from the President of the General Assembly addressed to the Secretary-General

I have the honour to refer to your letter of 2 April 2004 concerning the candidature of Sir Charles Michael Dennis Byron to replace Judge Lloyd George Williams, who resigned as a judge of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, effective 31 March 2004 (see enclosure).

In accordance with article 12 bis, paragraph 2, of the statute of the International Criminal Tribunal, I have reviewed the qualifications of Sir Dennis Byron and am pleased to inform you that I concur with the proposed appointment.

(*Signed*) Julian R. **Hunte**

Enclosure

Letter dated 2 April 2004 from the Secretary-General addressed to the President of the General Assembly

I have the honour to refer to article 12 bis, paragraph 2, of the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States, between 1 January 1994 and 31 December 1994, which reads as follows:

> "In the event of a vacancy in the Chambers amongst the permanent judges elected or appointed in accordance with this article, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of article 12 above, for the remainder of the term of office concerned."

In this connection, I should like to inform you that Judge Lloyd George Williams, a national of Saint Kitts and Nevis, resigned as a permanent judge of the International Criminal Tribunal for Rwanda, effective 31 March 2004.

The Government of Saint Kitts and Nevis has presented the candidacy of Sir Charles Michael Dennis Byron, a national of Saint Kitts and Nevis, to replace Judge Williams. Please find attached his curriculum vitae.[a]

It is my view that Sir Dennis Byron meets the qualifications prescribed in article 12 of the statute of the International Criminal Tribunal for Rwanda. I also consider that the appointment of Sir Dennis Byron would be well calculated to ensure adequate representation on the Tribunal of the principal legal systems of the world, as contemplated in paragraph 1 (c) of article 12 bis of the Tribunal's statute.

I should therefore like to proceed towards consultation with you on the appointment of Sir Dennis Byron, in accordance with article 12 bis, paragraph 2, of the statute of the International Criminal Tribunal for Rwanda. I look forward to receiving your views on the matter.

(*Signed*) Kofi A. **Annan**

[a] See S/2004/291.